

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

KELLY STONE, RICHARD BUTLER,
and DERMACARE PACKAGING &
PRIVATE LABEL, LLC,

Plaintiffs,

v.

OMRI SHAFRAN and TEXAS
MEDICAL TECHNOLOGY, LLC,

Defendants.

Case No. 922-cv-80369

**DECLARATION OF SISTIE KIMELMAN IN SUPPORT OF PLAINTIFFS'
RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

I, Sistie Kimelman, swear and declare as follows:

1. I am the General Manager of Delray Beach Executive Suites, located at 301 W. Atlantic Ave, 2nd Floor Corporate Office, Suite 5, Delray Beach, FL 33444.
2. The facts in this declaration are based upon my personal knowledge and recollection.
3. Delray Beach Executive Suites is a coworking office space that also provides individual conference rooms for members to rent for business meetings.

4. As General Manager, I am familiar with our members and reservations for the offices and conference rooms. I also maintain a log of the reservations.
5. I have known Mr. Richard Butler for a long time. In late December 2021, Mr. Butler reserved a conference room at Delray Beach Executive Suites for a meeting on December 29th, 2021.
6. Two gentlemen came to meet with him. I understood these men to be Mr. Omri Shafran and Mr. Omri Abu.
7. The parties met during the afternoon for a duration of at least 90 minutes. At the 90-minute mark, I had to leave the building, and requested that they turn the lights off when they left. I am not aware of how much longer the meeting lasted following my departure.
8. I knew from my conversations with Richard Butler before the meeting that the two gentlemen had come to discuss potentially purchasing a large number of Covid-19 Test Kits from Mr. Butler's company, DermaCare. I understood this to be their first meeting and that this would be a new client if the meeting went well.
9. The conference rooms are enclosed behind wooden doors. I can see the entrances to the rooms from my desk, as well as who comes and goes from the rooms.
10. The men were loud. Although I was not in the room with them, I could hear them yelling and speaking loudly through the closed door from where

I sat. Although they were noisy, their demeanor was pleasant. My impression was that the meeting was going favorably overall.

11. At one point, I heard the man I understand to be Mr. Omri Shafran seemingly pressing Mr. Butler to deliver kits in an urgent manner.

12. There was a moment when Mr. Butler exited the room, and I asked him if everything was okay in there – in light of the noise and the apparent pressure related to delivery times.

13. The meeting was set up as a serious business meeting, not a social engagement or a meet-and-greet. There was no food or drinks in the conference room, except potentially there was water.

I, SISTIE KIMELMAN, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: May 24, 2022

Signed: 